

IAP7 Rec'd PCT/PTO 15 JUN 2006

PATENT  
Atty. Docket No. PP019813.0003

Express Mail Label No.: EV 525 242 315 US Date: June 15, 2006

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In re Application of: Mariagrazia PIZZA et al.

Serial No.: 10/526,125

Confirmation No.: 2934

Filed: September 1, 2003 as  
PCT/IB2003/04295

Examiner: To Be Assigned

For: MUTANT FORMS OF MENINGOCOCCAL ADP-RIBOSYLATING  
TOXIN

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.**  
**371**

Commissioner for Patents – Mail Stop PCT  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the "Notification to Missing Requirements Under 35 U.S.C. 371" mailed 12/16/2005 from the Patent Office in the above-identified application, enclosed herewith are the missing requirements to complete the requirements for acceptance of the subject patent application under 35 U.S.C. 371.

Enclosed are:

- [X] Return Copy of Notification of Missing Requirements (2 pages)
- [X] Executed Declaration (3 pages)
- [X] Statement to Support Filing and Submission In Accordance With 37 C.F.R. §§ 1.821-1.825 (1 pages)
- [X] 1 diskette containing CRF of Sequence Listing
- [X] Blanket Petition for Extension of Time (1 page)
- [X] Petition for Extension of Time to Respond to Notification of Missing Requirements (1 page)

- ☒ Check #9101 in the amount of \$1655.00 as a late oath or declaration surcharge, additional claim fee and extension fee.
- ☒ Request to change status to Large Entity (1 page)

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 03-1664. This, however is not authorization to pay the issue fee.

June 15, 2006

Respectfully submitted,

NOVARTIS VACCINES  
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By: Helen Lee  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,125	Mariagrazia Pizza	PP019813.0003

INTERNATIONAL APPLICATION NO.
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PCT/IB03/04295

I.A. FILING DATE	PRIORITY DATE
09/01/2003	08/30/2002

27476  
 Chiron Corporation  
 Intellectual Property - R440  
 P.O. Box 8097  
 Emeryville, CA 94662-8097



CONFIRMATION NO. 2934

## 371 FORMALITIES LETTER



\*OC000000017668041\*

Date Mailed: 12/16/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/28/2005
- Copy of the International Search Report filed on 02/28/2005
- Biochemical Sequence Listing filed on 02/28/2005
- Small Entity Statement filed on 02/28/2005
- Copy of references cited in ISR filed on 02/28/2005
- U.S. Basic National Fees filed on 02/28/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$-185** for a Small Entity:

- \$65 Surcharge.

DOCKETED on/by 12/22/05 bm  
 Atty. NMF PA  
 File # PP019813.0003  
 Due Date 2/16/06 Ext RS5 SL5  
 Final Date 7/16/06 RS0 SL0

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

(A previous payment of \$250 will be applied to the additional fees indicated above.)

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,125	PCT/IB03/04295	PP019813.0003